

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
NORFOLK DIVISION**

<b>ePLUS, INC.,</b>	)
	)
<b>Plaintiff,</b>	) <b>Civil Action No. 2:09cv232-HCM-TEM</b>
	)
<b>v.</b>	)
	)
<b>PERFECT COMMERCE, INC.,</b>	)
<b>SCIQUEST, INC., and</b>	)
<b>LAWSON SOFTWARE, INC.,</b>	)
	)
<b>Defendants.</b>	)

**UNOPPOSED MOTION AND MEMORANDUM IN SUPPORT TO  
AMEND THE COURT'S RULE 16(B) SCHEDULING ORDER**

Plaintiff ePlus, Inc. (“ePlus”), by counsel, respectfully moves the Court to amend its Rule 16(b) Scheduling Order entered on August 14, 2009, to permit a single discovery completion date of December 21, 2009 (except for expert witnesses) for all parties for the reasons stated in the accompanying Memorandum in Support. Defendants do not oppose this motion.

**MEMORANDUM IN SUPPORT**

On August 14, 2009, this Honorable Court entered its Rule 16(b) Scheduling Order for this case. *See* Docket No. 66. In its Order, the Court set the Plaintiff’s discovery completion date at November 23, 2009 and the Defendants’ discovery completion date at December 21, 2009. A separate date for discovery completion exists for expert witnesses and remains unaffected by the amendment requested herein. The Defendants in this case have filed counterclaims against ePlus, thus making Defendants also Counter-Plaintiffs and ePlus a Counter-Defendant. In order to avoid confusion whether discovery is addressed to an affirmative claim or a counterclaim, the parties have agreed to a single discovery completion date of December 21, 2009.

Attached hereto is an Agreed Order, which is currently being circulated for endorsement and will be forwarded to the Court for consideration once fully endorsed and which ePlus respectfully asks the Court to enter. No other deadlines are affected by this proposed change and it will not adversely impact the trial date.

Respectfully submitted,

Date: August 25, 2009

/s/  
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Attorneys for Plaintiff ePlus, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 25th day of August, 2009, I will electronically file the foregoing UNOPPOSED MOTION AND MEMORANDUM IN SUPPORT TO AMEND THE COURT'S RULE 16(B) SCHEDULING ORDER, with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing to the following counsel of record:

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